

**Louisville Metro Council
Committee on Committees Meeting Minutes
May 11, 2010
4:30 P.M.
Third Floor
Council Chambers**

Members Roll Call

(D) Tom Owen (8)*

(D) Madonna Flood (24)*

(D) George Unseld (6)

(R) Ken Fleming (7) AB

(R) Hal Heiner (19)

* Denotes the Committee Chair(s)

President Owen called the meeting to order at 4:35 pm and recognized the members that were present. A quorum was established.

The Committee agreed with all assignments.

Special Items For Discussion

President Owen stated the Council has been asked to have items 1 and 2 as emergency ordinances on Thursdays Council Agenda. The Clerk read the ordinances into the record. He stated Theresa Senninger, Assistant County Attorney, will be present at the Committee of the Whole Meeting to explain in more detail.

Ron Wolf, Mayors Office, stated the reason these ordinances need to be considered emergencies is to meet the deadline to keep the quiet zone. Numerous Public Hearings and Public meetings have been held. Having these go on the May 27th Council meeting will put the dead line very close. CM Heiner requested information regarding the objection stated in the minutes of one of the ordinances. This will be discussed at the Committee of the Whole. The clerk will notify Ms. Senninger of this inquiry.

1- O-95-05-10 AN ORDINANCE CLOSING A PORTION OF AN UNNAMED ALLEY, SOMETIMES REFERRED TO AS "FRANCK ALLEY," LOCATED NORTH OF FRANKFORT AVENUE AND APPROXIMATELY 205 FEET WEST OF THE INTERSECTION OF NORTH HITE AVENUE WITH THE CSX RAILROAD RIGHT-OF-WAY, RUNNING SOUTH APPROXIMATELY 42.6 FEET TO ITS INTERSECTION WITH FRANKFORT AVENUE, CONTAINING APPROXIMATELY 1,718.6 SQUARE FEET, AND BEING IN LOUISVILLE METRO, AND DECLARING THE ENACTMENT OF THIS ORDINANCE AS AN EMERGENCY (CASE NO. 13857).

Status: On Council Agenda - For a Vote

Primary Sponsor: Jon Ackerson

2- O-96-05-10 AN ORDINANCE CLOSING A PORTION OF CLAREMONT AVENUE, LOCATED NORTH OF FRANKFORT AVENUE, BEGINNING AT THE SOUTH LINE OF ARTERBURN AVENUE AND RUNNING SOUTH APPROXIMATELY 66 FEET TO ITS SOUTHERN INTERSECTION WITH FRANKFORT AVENUE, CONTAINING APPROXIMATELY 3,961 SQUARE FEET, AND BEING IN LOUISVILLE METRO, AND DECLARING THE ENACTMENT OF THIS ORDINANCE TO BE AN EMERGENCY (CASE NO. 13852).

Status: On Council Agenda - For a Vote

Primary Sponsor: Jon Ackerson

Pending Legislation

3- O-101-05-10 AN ORDINANCE APPROPRIATING \$9,500 FROM DISTRICT 2 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE PEACE CENTER, INC. FOR PROGRAM EXPENSES.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Barbara Shanklin

- 4- O-97-05-10 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009, RELATING TO THE CAPITAL BUDGET FOR FISCAL YEAR 2009-10 FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \$70,300 AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS BETWEEN PROJECTS.

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Jim King

- 5- O-98-05-10 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING A FIRST SUPPLEMENT TO THE INDENTURE OF TRUST RELATING TO METRO GOVERNMENT'S VARIABLE RATE DEMAND INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2008 (SPALDING UNIVERSITY, INC. PROJECT), THE PROCEEDS OF WHICH WERE LOANED TO SPALDING UNIVERSITY, INC. AND TAKING OTHER RELATED ACTION.

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Jim King

Bill O'Brien spoke to the following three items (6, 7, and 8). He stated this was referred to the Budget Committee due to the State Requirement relating to taxation. The State was the motivator of the enhanced legal description.

- 6- R-122-05-10 A RESOLUTION ADOPTING AN ENHANCED LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY THE CITY OF LOUISVILLE, KENTUCKY BY ORDINANCE NO. 65, SERIES 1982 AS AMENDED, IN THE AREA BOUNDED ON THE WEST BY I-264, THE SOUTH BY I-64, THE NORTH BY SHELBYVILLE ROAD AND ON THE EAST BY HURSTBOURNE AND OXMOOR WOODS SUBDIVISIONS NOW PART OF THE URBAN SERVICES DISTRICT AND IDENTIFIED AS TRACT "A."

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Jim King

- 7- R-123-05-10 A RESOLUTION ADOPTING AN ENHANCED LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY THE CITY OF LOUISVILLE, KENTUCKY BY ORDINANCE NO. 87, SERIES 1982, IN THE AREA BOUNDED ON THE WEST BY I-264, THE SOUTH BY I-64, THE NORTH BY SHELBYVILLE ROAD AND ON THE EAST BY THE PARK OF OXMOOR SUBDIVISION NOW PART OF THE URBAN SERVICES DISTRICT AND IDENTIFIED AS TRACT "B."

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Jim King

- 8- R-124-05-10 A RESOLUTION ADOPTING AN ENHANCED LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY THE CITY OF LOUISVILLE, KENTUCKY BY ORDINANCE NO. 75, SERIES 1981, BEING A TRACT OF LAND LYING NORTH AND SOUTH OF GARDINER LANE BETWEEN POPLAR LEVEL ROAD AND BISHOP LANE NEAR ROBARDS LANE NOW PART OF THE URBAN SERVICES DISTRICT AND IDENTIFIED AS TRACT "B."

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Jim King

- 9- O-102-05-10 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009 AND ORDINANCE NO. 91, SERIES 2009 RELATING TO THE FISCAL YEAR 2009-10 CAPITAL AND OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$20,000 FROM THE DISTRICT 10 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUND.

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Jim King

- 10- R-117-05-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – WEST BRECK CORPORATION (\$70,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

- 11- R-118-05-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED EMERGENCY PURCHASE – (MITCON SERVICES, INC. D/B/A SERVPRO OF SOUTH LOUISVILLE - \$16,356.35).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Judy Green

- 12- R-119-05-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING AMENDMENT TO A NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY EMERGENCY MEDICINE ASSOCIATES, P.S.C. - \$19,000.00 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$64,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Judy Green

- 13- R-120-05-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (HNTB CORPORATION - \$70,398.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Rick Blackwell

- 14- R-121-05-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM/UNIVERSITY OF KENTUCKY COMMUNITY COLLEGE SYSTEM FOR JEFFERSON COMMUNITY COLLEGE - \$85,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments

Primary Sponsor: Jim King

- 15- R-125-05-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (HNTB CORPORATION - \$180,720).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Stuart Benson

- 16- R-126-05-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (VIVIEN BETANCES-KEANE - \$15,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Kevin Kramer

- 17- O-92-05-10 AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) SECTIONS 38.09(A) and 38.80(A)(2) RELATING TO ABANDONED PROPERTY CLASSIFIED AS REAL PROPERTY IN THE URBAN SERVICES DISTRICT.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Kelly Downard

- 18- O-100-05-10 AN ORDINANCE AUTHORIZING THE MAKING OF FORGIVABLE LOANS, PURSUANT TO ORDINANCE NO. 54, SERIES 2009, TO LOUISVILLE METRO HOUSING AUTHORITY, NEW DIRECTIONS HOUSING CORPORATION, REBOUND, INC., AND RIVER CITY HOUSING, INC. FOR THE ACQUISITION, REHABILITATION, AND MARKETING OF PARCELS OF REAL PROPERTY LOCATED IN NEIGHBORHOOD STABILIZATION PROGRAM CENSUS TRACTS.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Cheri Bryant Hamilton

- 19- O-99-05-10 AN ORDINANCE RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (APRIL 27, 2010 – JUNE 30, 2013) RELATING TO WAGES, BENEFITS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND LOUISVILLE PROFESSIONAL FIREFIGHTERS ASSOCIATION LOCAL UNION 345, IAFF AFL-CIO-CLC FOR AND ON BEHALF OF EMPLOYEES IN THE LOUISVILLE FIRE DEPARTMENT.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Marianne Butler

- 20- O-93-05-10 AN ORDINANCE CHANGING THE ZONING FROM R5-B, RESIDENTIAL TWO-FAMILY TO CR, COMMERCIAL RESIDENTIAL ON PROPERTY LOCATED AT 1726, AND 1728-1738 FRANKFORT AVENUE, CONTAINING 0.59 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12349).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Jon Ackerson

21-

O-94-05-10 AN ORDINANCE CHANGING THE ZONING FROM M-2, INDUSTRIAL TO C-2, COMMERCIAL ON PROPERTY LOCATED AT 4805 DIXIE HIGHWAY, CONTAINING 0.51 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12960).

Status: On Council Agenda - New Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Jon Ackerson

Without objection the Committee adjourned at 4:52PM.

The items on this agenda will be under New Business and Special Ordinances at the Metro Council Meeting on May 13, 2010.

kjh